

Part 2 Statewide Initiatives

20A-7-201 Statewide initiatives -- Signature requirements -- Submission to the Legislature or to a vote of the people.

- (1)
- (a) A person seeking to have an initiative submitted to the Legislature for approval or rejection shall obtain:
 - (i) legal signatures equal to 5% of the cumulative total of all votes cast by voters of this state for all candidates for President of the United States at the last regular general election at which a President of the United States was elected; and
 - (ii) from each of at least 26 Utah State Senate districts, legal signatures equal to 5% of the total of all votes cast in that district for all candidates for President of the United States at the last regular general election at which a President of the United States was elected.
 - (b) If, at any time not less than 10 days before the beginning of the next annual general session of the Legislature, immediately after the application is filed under Section 20A-7-202 and specified on the petition under Section 20A-7-203 the lieutenant governor declares sufficient any initiative petition that is signed by enough voters to meet the requirements of this Subsection (1), the lieutenant governor shall deliver a copy of the petition and the cover sheet required by Subsection (1)(c) to the president of the Senate, the speaker of the House, and the director of the Office of Legislative Research and General Counsel.
 - (c) In delivering a copy of the petition, the lieutenant governor shall include a cover sheet that contains:
 - (i) the cumulative total of all votes cast by voters of this state for all candidates for President of the United States at the last regular general election at which a President of the United States was elected;
 - (ii) the total of all votes cast in each Utah State Senate district for all candidates for President of the United States at the last regular general election at which a President of the United States was elected;
 - (iii) the total number of certified signatures received for the submitted initiative; and
 - (iv) the total number of certified signatures received from each Utah State Senate district for the submitted initiative.
- (2)
- (a) A person seeking to have an initiative submitted to a vote of the people for approval or rejection shall obtain:
 - (i) legal signatures equal to 10% of the cumulative total of all votes cast by voters of this state for all candidates for President of the United States at the last regular general election at which a President of the United States was elected; and
 - (ii) from each of at least 26 Utah State Senate districts, legal signatures equal to 10% of the total of all votes cast in that district for all candidates for President of the United States at the last regular general election at which a President of the United States was elected.
 - (b) If an initiative petition meets the requirements of this part and the lieutenant governor declares the initiative petition to be sufficient, the lieutenant governor shall submit the proposed law to a vote of the people at the next regular general election:
 - (i) immediately after the application is filed under Section 20A-7-202; and
 - (ii) specified on the petition under Section 20A-7-203.

- (3) The lieutenant governor shall provide the following information from the official canvass of the last regular general election at which a President of the United States was elected to any interested person:
 - (a) the cumulative total of all votes cast by voters in this state for all candidates for President of the United States; and
 - (b) for each Utah State Senate district, the total of all votes cast in that district for all candidates for President of the United States.

Amended by Chapter 17, 2011 General Session

20A-7-202 Statewide initiative process -- Application procedures -- Time to gather signatures -- Grounds for rejection.

- (1) Persons wishing to circulate an initiative petition shall file an application with the lieutenant governor.
- (2) The application shall contain:
 - (a) the name and residence address of at least five sponsors of the initiative petition;
 - (b) a statement indicating that each of the sponsors:
 - (i) is a resident of Utah; and
 - (ii) has voted in a regular general election in Utah within the last three years;
 - (c) the signature of each of the sponsors, attested to by a notary public;
 - (d) a copy of the proposed law that includes:
 - (i) the title of the proposed law, which clearly expresses the subject of the law; and
 - (ii) the text of the proposed law; and
 - (e) a statement indicating whether or not persons gathering signatures for the petition may be paid for doing so.
- (3) The application and its contents are public when filed with the lieutenant governor.
- (4) If the petition fails to qualify for the ballot of the election described in Subsection 20A-7-201(2)(b), the sponsors shall:
 - (a) submit a new application;
 - (b) obtain new signature sheets; and
 - (c) collect signatures again.
- (5) The lieutenant governor shall reject the application or application addendum filed under Subsection 20A-7-204.1(4) and not issue circulation sheets if:
 - (a) the law proposed by the initiative is patently unconstitutional;
 - (b) the law proposed by the initiative is nonsensical;
 - (c) the proposed law could not become law if passed;
 - (d) the proposed law contains more than one subject as evaluated in accordance with Subsection (6);
 - (e) the subject of the proposed law is not clearly expressed in the law's title; or
 - (f) the law proposed by the initiative is identical or substantially similar to a law proposed by an initiative that was submitted to the county clerks and lieutenant governor for certification and evaluation within two years preceding the date on which the application for this initiative was filed.
- (6) To evaluate whether the proposed law contains more than one subject under Subsection (5)(d), the lieutenant governor shall apply the same standard provided in Utah Constitution, Article VI, Section 22, which prohibits a bill from passing that contains more than one subject.

Amended by Chapter 17, 2011 General Session

Amended by Chapter 297, 2011 General Session

Amended by Chapter 315, 2011 General Session

20A-7-202.5 Initial fiscal impact estimate -- Preparation of estimate -- Challenge to estimate.

- (1) Within three working days of receipt of an application for an initiative petition, the lieutenant governor shall submit a copy of the application to the Governor's Office of Management and Budget.
- (2)
 - (a) The Governor's Office of Management and Budget shall prepare an unbiased, good faith estimate of the fiscal impact of the law proposed by the initiative that contains:
 - (i) a dollar amount representing the total estimated fiscal impact of the proposed law;
 - (ii) if the proposed law would increase or decrease taxes, a dollar amount representing the total estimated increase or decrease for each type of tax affected under the proposed law and a dollar amount representing the total estimated increase or decrease in taxes under the proposed law;
 - (iii) if the proposed law would result in the issuance or a change in the status of bonds, notes, or other debt instruments, a dollar amount representing the total estimated increase or decrease in public debt under the proposed law;
 - (iv) a listing of all sources of funding for the estimated costs associated with the proposed law showing each source of funding and the percentage of total funding provided from each source;
 - (v) a dollar amount representing the estimated costs or savings, if any, to state and local government entities under the proposed law; and
 - (vi) a concise explanation, not exceeding 100 words, of the above information and of the estimated fiscal impact, if any, under the proposed law.
 - (b)
 - (i) If the proposed law is estimated to have no fiscal impact, the Governor's Office of Management and Budget shall include a summary statement in the initial fiscal impact statement in substantially the following form:

"The Governor's Office of Management and Budget estimates that the law proposed by this initiative would have no significant fiscal impact and would not result in either an increase or decrease in taxes or debt."
 - (ii) If the proposed law is estimated to have a fiscal impact, the Governor's Office of Management and Budget shall include a summary statement in the initial fiscal impact estimate in substantially the following form:

"The Governor's Office of Management and Budget estimates that the law proposed by this initiative would result in a total fiscal expense/savings of \$_____, which includes a (type of tax or taxes) tax increase/decrease of \$_____ and a \$_____ increase/decrease in state debt."
 - (iii) If the estimated fiscal impact of the proposed law is highly variable or is otherwise difficult to reasonably express in a summary statement, the Governor's Office of Management and Budget may include in the summary statement a brief explanation that identifies those factors affecting the variability or difficulty of the estimate.
- (3) The Governor's Office of Management and Budget shall prepare an unbiased, good faith estimate of the cost of printing and distributing information related to the initiative petition in:
 - (a) the voter information pamphlet as required by Title 20A, Chapter 7, Part 7, Voter Information Pamphlet; or
 - (b) the newspaper, as required by Section 20A-7-702.

- (4) Within 25 calendar days from the date that the lieutenant governor delivers a copy of the application, the Governor's Office of Management and Budget shall:
- (a) deliver a copy of the initial fiscal impact estimate to the lieutenant governor's office; and
 - (b) mail a copy of the initial fiscal impact estimate to the first five sponsors named in the initiative application.
- (5)
- (a)
 - (i) Three or more of the sponsors of the petition may, within 20 calendar days of the date of delivery of the initial fiscal impact estimate to the lieutenant governor's office, file a petition with the Supreme Court, alleging that the initial fiscal impact estimate, taken as a whole, is an inaccurate estimate of the fiscal impact of the initiative.
 - (ii) After receipt of the appeal, the Supreme Court shall direct the lieutenant governor to send notice of the petition to:
 - (A) any person or group that has filed an argument with the lieutenant governor's office for or against the measure that is the subject of the challenge; and
 - (B) any political issues committee established under Section 20A-11-801 that has filed written or electronic notice with the lieutenant governor that identifies the name, mailing or email address, and telephone number of the person designated to receive notice about any issues relating to the initiative.
 - (b)
 - (i) There is a presumption that the initial fiscal impact estimate prepared by the Governor's Office of Management and Budget is based upon reasonable assumptions, uses reasonable data, and applies accepted analytical methods to present the estimated fiscal impact of the initiative.
 - (ii) The Supreme Court may not revise the contents of, or direct the revision of, the initial fiscal impact estimate unless the plaintiffs rebut the presumption by clear and convincing evidence that establishes that the initial fiscal estimate, taken as a whole, is an inaccurate statement of the estimated fiscal impact of the initiative.
 - (iii) The Supreme Court may refer an issue related to the initial fiscal impact estimate to a master to examine the issue and make a report in accordance with Utah Rules of Civil Procedure, Rule 53.
 - (c) The Supreme Court shall certify to the lieutenant governor a fiscal impact estimate for the measure that meets the requirements of this section.

Amended by Chapter 310, 2013 General Session

20A-7-203 Form of initiative petition and signature sheets.

- (1)
- (a) Each proposed initiative petition shall be printed in substantially the following form:

"INITIATIVE PETITION To the Honorable _____, Lieutenant Governor:

We, the undersigned citizens of Utah, respectfully demand that the following proposed law be submitted to the legal voters/Legislature of Utah for their/its approval or rejection at the regular general election/session to be held/ beginning on _____(month\day\year);

Each signer says:

I have personally signed this petition;

I am registered to vote in Utah or intend to become registered to vote in Utah before the certification of the petition names by the county clerk; and

My residence and post office address are written correctly after my name.

NOTICE TO SIGNERS:

Public hearings to discuss this petition were held at: (list dates and locations of public hearings.)"

- (b) The sponsors of an initiative shall attach a copy of the proposed law to each initiative petition.
- (2) Each signature sheet shall:
 - (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;
 - (b) be ruled with a horizontal line three-fourths inch from the top, with the space above that line blank for the purpose of binding;
 - (c) contain the title of the initiative printed below the horizontal line;
 - (d) contain the initial fiscal impact estimate's summary statement issued by the Governor's Office of Management and Budget according to Subsection 20A-7-202.5(2)(b), including any update according to Subsection 20A-7-204.1(4), and the cost estimate for printing and distributing information related to the initiative petition according to Subsection 20A-7-202.5(3), printed or typed in not less than 12 point, bold type, at the top of each signature sheet under the title of the initiative;
 - (e) contain the word "Warning" printed or typed at the top of each signature sheet under the initial fiscal impact estimate's summary statement;
 - (f) contain, to the right of the word "Warning," the following statement printed or typed in not less than eight-point, single-leaded type:

"It is a class A misdemeanor for anyone to sign any initiative petition with any other name than his own, or knowingly to sign his name more than once for the same measure, or to sign an initiative petition when he knows he is not a registered voter and knows that he does not intend to become registered to vote before the certification of the petition names by the county clerk."; and
 - (g) be vertically divided into columns as follows:
 - (i) the first column shall appear at the extreme left of the sheet, be five-eighths inch wide, be headed with "For Office Use Only," and be subdivided with a light vertical line down the middle with the left subdivision entitled "Registered" and the right subdivision left untitled;
 - (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed Name (must be legible to be counted)";
 - (iii) the next column shall be 2-1/2 inches wide, headed "Signature of Registered Voter";
 - (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)"; and
 - (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip Code";
 - (h) spanning the sheet horizontally beneath each row on which a registered voter may submit the information described in Subsection (2)(g), contain the following statement printed or typed in not less than eight-point, single-leaded type:

"By signing this petition, you are stating that you have read and understand the law proposed by this petition."; and
 - (i) at the bottom of the sheet, contain the following statement: "Birth date or age information is not required, but it may be used to verify your identity with voter registration records. If you choose not to provide it, your signature may not be verified as a valid signature if you change your address before petition signatures are verified or if the information you provide does not match your voter registration records."
- (3) The final page of each initiative packet shall contain the following printed or typed statement:

"Verification
State of Utah, County of _____
I, _____, of _____, hereby state that:
I am a resident of Utah and am at least 18 years old;

All the names that appear in this packet were signed by persons who professed to be the persons whose names appear in it, and each of them signed his name on it in my presence;

I believe that each has printed and signed his name and written his post office address and residence correctly, and that each signer is registered to vote in Utah or intends to become registered to vote before the certification of the petition names by the county clerk.

I have not paid or given anything of value to any person who signed this petition to encourage that person to sign it.

(Name)	(Residence Address)	(Date)"
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- (4) The forms prescribed in this section are not mandatory, and, if substantially followed, the initiative petitions are sufficient, notwithstanding clerical and merely technical errors.

Amended by Chapter 329, 2014 General Session

20A-7-204 Circulation requirements -- Lieutenant governor to provide sponsors with materials.

- (1) In order to obtain the necessary number of signatures required by this part, the sponsors shall circulate initiative packets that meet the form requirements of this part.
- (2) The lieutenant governor shall furnish to the sponsors:
 - (a) a copy of the initiative petition, with any change submitted under Subsection 20A-7-204.1(4); and
 - (b) one signature sheet.
- (3) The sponsors of the petition shall:
 - (a) arrange and pay for the printing of all additional copies of the petition and signature sheets; and
 - (b) ensure that the copies of the petition and signature sheets meet the form requirements of this section.
- (4)
 - (a) The sponsors may prepare the initiative for circulation by creating multiple initiative packets.
 - (b) The sponsors shall create those packets by binding a copy of the initiative petition, a copy of the proposed law, and no more than 50 signature sheets together at the top in such a way that the packets may be conveniently opened for signing.
 - (c) The sponsors need not attach a uniform number of signature sheets to each initiative packet.
- (5)
 - (a) After the sponsors have prepared sufficient initiative packets, they shall return them to the lieutenant governor.
 - (b) The lieutenant governor shall:
 - (i) number each of the initiative packets and return them to the sponsors within five working days; and
 - (ii) keep a record of the numbers assigned to each packet.

Amended by Chapter 315, 2011 General Session

20A-7-204.1 Public hearings to be held before initiative petitions are circulated -- Changes to an initiative and initial fiscal impact estimate.

- (1)

- (a) After issuance of the initial fiscal impact estimate by the Governor's Office of Management and Budget and before circulating initiative petitions for signature statewide, sponsors of the initiative petition shall hold at least seven public hearings throughout Utah as follows:
 - (i) one in the Bear River region -- Box Elder, Cache, or Rich County;
 - (ii) one in the Southwest region -- Beaver, Garfield, Iron, Kane, or Washington County;
 - (iii) one in the Mountain region -- Summit, Utah, or Wasatch County;
 - (iv) one in the Central region -- Juab, Millard, Piute, Sanpete, Sevier, or Wayne County;
 - (v) one in the Southeast region -- Carbon, Emery, Grand, or San Juan County;
 - (vi) one in the Uintah Basin region -- Daggett, Duchesne, or Uintah County; and
 - (vii) one in the Wasatch Front region -- Davis, Morgan, Salt Lake, Tooele, or Weber County.
 - (b) Of the seven meetings, at least two of the meetings shall be held in a first or second class county, but not in the same county.
- (2) At least three calendar days before the date of the public hearing, the sponsors shall:
- (a) provide written notice of the public hearing to:
 - (i) the lieutenant governor for posting on the state's website; and
 - (ii) each state senator, state representative, and county commission or county council member who is elected in whole or in part from the region where the public hearing will be held; and
 - (b) publish written notice of the public hearing detailing its time, date, and location:
 - (i) in at least one newspaper of general circulation in each county in the region where the public hearing will be held; and
 - (ii) on the Utah Public Notice Website created in Section 63F-1-701.
- (3)
- (a) During the public hearing, the sponsors shall either:
 - (i) video tape or audio tape the public hearing and, when the hearing is complete, deposit the complete audio or video tape of the meeting with the lieutenant governor; or
 - (ii) take comprehensive minutes of the public hearing, detailing the names and titles of each speaker and summarizing each speaker's comments.
 - (b) The lieutenant governor shall make copies of the tapes or minutes available to the public.
- (4)
- (a) Within 14 days after conducting the seventh public hearing required by Subsection (1)(a) and before circulating an initiative petition for signatures, the sponsors of the initiative petition may change the text of the proposed law if:
 - (i) a change to the text is:
 - (A) germane to the text of the proposed law filed with the lieutenant governor under Section 20A-7-202; and
 - (B) consistent with the requirements of Subsection 20A-7-202(5); and
 - (ii) each sponsor signs, attested to by a notary public, an application addendum to change the text of the proposed law.
 - (b)
 - (i) Within three working days of receipt of an application addendum to change the text of the proposed law in an initiative petition, the lieutenant governor shall submit a copy of the application addendum to the Governor's Office of Management and Budget.
 - (ii) The Governor's Office of Management and Budget shall update the initial fiscal impact estimate by following the procedures and requirements of Section 20A-7-202.5 to reflect a change to the text of the proposed law.

Amended by Chapter 310, 2013 General Session

20A-7-205 Obtaining signatures -- Verification -- Removal of signature.

- (1) A Utah voter may sign an initiative petition if the voter is a legal voter.
- (2)
 - (a) The sponsors shall ensure that the person in whose presence each signature sheet was signed:
 - (i) is at least 18 years old and meets the residency requirements of Section 20A-2-105; and
 - (ii) verifies each signature sheet by completing the verification printed on the last page of each initiative packet.
 - (b) A person may not sign the verification printed on the last page of the initiative packet if the person signed a signature sheet in the initiative packet.
- (3)
 - (a) A voter who has signed an initiative petition may have the voter's signature removed from the petition by submitting to the county clerk a statement requesting that the voter's signature be removed.
 - (b) The statement shall include:
 - (i) the name of the voter;
 - (ii) the resident address at which the voter is registered to vote;
 - (iii) the last four digits of the voter's Social Security number;
 - (iv) the driver license or identification card number; and
 - (v) the signature of the voter.
 - (c) A voter may not submit a statement by email or other electronic means.
 - (d) In order for the signature to be removed, the statement must be received by the county clerk before May 15.
 - (e) The county clerk shall deliver all statements received under this Subsection (3):
 - (i) with the initiative petition packets delivered to the lieutenant governor; or
 - (ii) in a supplemental delivery to the lieutenant governor for a statement submitted after the county clerk delivered the initiative packets.
 - (f) A person may only remove a signature from an initiative petition in accordance with this Subsection (3).

Amended by Chapter 17, 2011 General Session

20A-7-205.5 Initial disclosures -- Paid circulators.

- (1) When petitions are being circulated by paid circulators, the sponsors of the initiative shall file a report with the lieutenant governor on the second Tuesday in March of the year of the regular general election and on the Tuesday before the regular general election.
- (2) The report shall contain:
 - (a) the names of the sponsors; and
 - (b) the name of the proposed measure for which petitions are being circulated by paid circulators.

Amended by Chapter 237, 2008 General Session

20A-7-206 Submitting the initiative petition -- Certification of signatures by the county clerks -- Transfer to lieutenant governor.

- (1)
 - (a) In order to qualify an initiative petition for placement on the regular general election ballot, the sponsors shall deliver each signed and verified initiative packet to the county clerk of the county in which the packet was circulated on or before the sooner of:

- (i) 316 days after the day on which the application is filed; or
 - (ii) the April 15 immediately before the next regular general election immediately after the application is filed under Section 20A-7-202.
 - (b) A sponsor may not submit an initiative packet after the deadline established in this Subsection (1).
- (2)
- (a) No later than May 1 before the regular general election, the county clerk shall:
 - (i) check the names of all persons completing the verification for the initiative packet to determine whether those persons are residents of Utah and are at least 18 years old; and
 - (ii) submit the name of each of those persons who is not a Utah resident or who is not at least 18 years old to the attorney general and county attorney.
 - (b) The county clerk may not certify a signature under Subsection (3) on an initiative packet that is not verified in accordance with Section 20A-7-205.
- (3) No later than May 15 before the regular general election, the county clerk shall:
- (a) determine whether each signer is a registered voter according to the requirements of Section 20A-7-206.3;
 - (b) certify on the petition whether each name is that of a registered voter; and
 - (c) deliver all of the verified initiative packets to the lieutenant governor.
- (4) Upon receipt of an initiative packet under Subsection (3) and any statement submitted under Subsection 20A-7-205(3), the lieutenant governor shall remove from the initiative petition a voter's signature if the voter has requested the removal in accordance with Subsection 20A-7-205(3).
- (5) In order to qualify an initiative petition for submission to the Legislature, the sponsors shall deliver each signed and verified initiative packet to the county clerk of the county in which the packet was circulated by the November 15 before the next annual general session of the Legislature immediately after the application is filed under Section 20A-7-202.
- (6)
- (a) No later than December 1 before the annual general session of the Legislature, the county clerk shall:
 - (i) check the names of all persons completing the verification for the initiative packet to determine whether those persons are Utah residents and are at least 18 years old; and
 - (ii) submit the name of each of those persons who is not a Utah resident or who is not at least 18 years old to the attorney general and county attorney.
 - (b) The county clerk may not certify a signature under Subsection (7) on an initiative packet that is not verified in accordance with Section 20A-7-205.
- (7) No later than December 15 before the annual general session of the Legislature, the county clerk shall:
- (a) determine whether each signer is a registered voter according to the requirements of Section 20A-7-206.3;
 - (b) certify on the petition whether each name is that of a registered voter; and
 - (c) deliver all of the verified initiative packets to the lieutenant governor.
- (8) The sponsor or their representatives may not retrieve initiative packets from the county clerks once they have submitted them.

Amended by Chapter 231, 2013 General Session

20A-7-206.3 Verification of petition signatures.

(1)

- (a) For the purposes of this section, "substantially similar name" means:
 - (i) the given name and surname shown on the petition, or both, contain only minor spelling differences when compared to the given name and surname shown on the official register;
 - (ii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is a commonly used abbreviation or variation of the other;
 - (iii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is accompanied by a first or middle initial or a middle name which is not shown on the other record; or
 - (iv) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is an alphabetically corresponding initial that has been provided in the place of a given name shown on the other record.
- (b) For the purposes of this section, "substantially similar name" does not mean a name having an initial or a middle name shown on the petition that does not match a different initial or middle name shown on the official register.
- (2) The county clerk shall use the following procedures in determining whether or not a signer is a registered voter:
 - (a) When a signer's name and address shown on the petition exactly match a name and address shown on the official register and the signer's signature appears substantially similar to the signature on the statewide voter registration database, the county clerk shall declare the signature valid.
 - (b) When there is no exact match of an address and a name, the county clerk shall declare the signature valid if:
 - (i) the address on the petition matches the address of a person on the official register with a substantially similar name; and
 - (ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the person described in Subsection (2)(b)(i).
 - (c) When there is no match of an address and a substantially similar name, the county clerk shall declare the signature valid if:
 - (i) the birth date or age on the petition matches the birth date or age of a person on the official register with a substantially similar name; and
 - (ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the person described in Subsection (2)(c)(i).
 - (d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the county clerk shall declare the signature to be invalid.

Amended by Chapter 17, 2011 General Session

20A-7-207 Evaluation by the lieutenant governor.

- (1) When each initiative packet is received from a county clerk, the lieutenant governor shall check off from the record the number of each initiative packet filed.
- (2)
 - (a) After all of the initiative packets have been received by the lieutenant governor and the lieutenant governor has removed the signatures as required by Section 20A-7-206, the lieutenant governor shall:

- (i) count the number of the names certified by the county clerks that remain on each verified signature sheet; and
 - (ii) declare the petition to be sufficient or insufficient by June 1 before the regular general election described in Subsection 20A-7-201(2)(b).
 - (b) If the total number of names counted under Subsection (2)(a)(i) equals or exceeds the number of names required by Section 20A-7-201 and the requirements of this part are met, the lieutenant governor shall mark upon the front of the petition the word "sufficient."
 - (c) If the total number of names counted under Subsection (2)(a)(i) does not equal or exceed the number of names required by Section 20A-7-201 or a requirement of this part is not met, the lieutenant governor shall mark upon the front of the petition the word "insufficient."
 - (d) The lieutenant governor shall immediately notify any one of the sponsors of the lieutenant governor's finding.
- (3) Once a petition is declared insufficient, the sponsors may not submit additional signatures to qualify the petition for the ballot.
- (4)
- (a) If the lieutenant governor refuses to accept and file any initiative petition that a sponsor believes is legally sufficient, any voter may, by June 15, apply to the supreme court for an extraordinary writ to compel the lieutenant governor to do so.
 - (b) The supreme court shall:
 - (i) determine whether or not the initiative petition is legally sufficient; and
 - (ii) certify its findings to the lieutenant governor.
 - (c) If the supreme court certifies that the initiative petition is legally sufficient, the lieutenant governor shall file it, with a verified copy of the judgment attached to it, as of the date on which it was originally offered for filing in the lieutenant governor's office.
 - (d) If the supreme court determines that any petition filed is not legally sufficient, the supreme court may enjoin the lieutenant governor and all other officers from certifying or printing the ballot title and numbers of that measure on the official ballot.
- (5) A petition determined to be sufficient in accordance with this section is qualified for the ballot.

Amended by Chapter 17, 2011 General Session

20A-7-208 Disposition of initiative petitions by the Legislature.

- (1)
- (a) Except as provided in Subsection (1)(b), when the lieutenant governor delivers an initiative petition to the Legislature, the law proposed by that initiative petition shall be either enacted or rejected without change or amendment by the Legislature.
 - (b) The speaker of the House and the president of the Senate may direct legislative staff to:
 - (i) make technical corrections authorized by Section 36-12-12; and
 - (ii) prepare a legislative review note and a legislative fiscal note on the law proposed by the initiative petition.
 - (c) If any law proposed by an initiative petition is enacted by the Legislature, it is subject to referendum the same as other laws.
- (2) If any law proposed by a petition is not enacted by the Legislature, that proposed law shall be submitted to a vote of the people at the next regular general election if:
- (a) sufficient additional signatures to the petition are first obtained to bring the total number of signatures up to the number required by Subsection 20A-7-201(2); and
 - (b) those additional signatures are verified, certified by the county clerks, and declared sufficient by the lieutenant governor as provided in this part.

Amended by Chapter 115, 1999 General Session

20A-7-209 Ballot title -- Duties of lieutenant governor and Office of Legislative Research and General Counsel.

- (1) By June 5 before the regular general election, the lieutenant governor shall deliver a copy of all of the proposed laws that have qualified for the ballot to the Office of Legislative Research and General Counsel.
- (2)
 - (a) The Office of Legislative Research and General Counsel shall:
 - (i) entitle each state initiative that has qualified for the ballot "Proposition Number ____" and give it a number as assigned under Section 20A-6-107;
 - (ii) prepare an impartial ballot title for each initiative summarizing the contents of the measure; and
 - (iii) return each petition and ballot title to the lieutenant governor by June 26.
 - (b) The ballot title may be distinct from the title of the proposed law attached to the initiative petition, and shall be not more than 100 words.
 - (c) For each state initiative, the official ballot shall show:
 - (i) the number of the initiative as determined by the Office of Legislative Research and General Counsel;
 - (ii) the ballot title as determined by the Office of Legislative Research and General Counsel; and
 - (iii) the initial fiscal impact estimate prepared under Section 20A-7-202.5 or updated under Section 20A-7-204.1.
- (3) By June 27, the lieutenant governor shall mail a copy of the ballot title to any sponsor of the petition.
- (4)
 - (a)
 - (i) At least three of the sponsors of the petition may, by July 6, challenge the wording of the ballot title prepared by the Office of Legislative Research and General Counsel to the Supreme Court.
 - (ii) After receipt of the appeal, the Supreme Court shall direct the lieutenant governor to send notice of the appeal to:
 - (A) any person or group that has filed an argument for or against the measure that is the subject of the challenge; or
 - (B) any political issues committee established under Section 20A-11-801 that has filed written or electronic notice with the lieutenant governor that identifies the name, mailing or email address, and telephone number of the person designated to receive notice about any issues relating to the initiative.
 - (b)
 - (i) There is a presumption that the ballot title prepared by the Office of Legislative Research and General Counsel is an impartial summary of the contents of the initiative.
 - (ii) The Supreme Court may not revise the wording of the ballot title unless the plaintiffs rebut the presumption by clearly and convincingly establishing that the ballot title is patently false or biased.
 - (c) The Supreme Court shall:
 - (i) examine the ballot title;
 - (ii) hear arguments; and

- (iii) certify to the lieutenant governor a ballot title for the measure that meets the requirements of this section.
- (d) The lieutenant governor shall certify the title verified by the Supreme Court to the county clerks to be printed on the official ballot.

Amended by Chapter 334, 2012 General Session

20A-7-210 Form of ballot -- Manner of voting.

- (1) The county clerks shall ensure that the number and ballot title verified to them by the lieutenant governor are presented upon the official ballot with, immediately adjacent to them, the words "For" and "Against," each word presented with an adjacent square in which the elector may indicate his vote.
- (2) Electors desiring to vote in favor of enacting the law proposed by the initiative petition shall mark the square adjacent to the word "For," and those desiring to vote against enacting the law proposed by the initiative petition shall mark the square adjacent to the word "Against."

Amended by Chapter 202, 2009 General Session

20A-7-211 Return and canvass -- Conflicting measures -- Law effective on proclamation.

- (1) The votes on the law proposed by the initiative petition shall be counted, canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.
- (2) After the state board of canvassers completes its canvass, the lieutenant governor shall certify to the governor the vote for and against the law proposed by the initiative petition.
- (3)
 - (a) The governor shall immediately issue a proclamation that:
 - (i) gives the total number of votes cast in the state for and against each law proposed by an initiative petition; and
 - (ii) declares those laws proposed by an initiative petition that were approved by majority vote to be in full force and effect as the law of Utah.
 - (b) When the governor believes that two proposed laws, or that parts of two proposed laws approved by the people at the same election are entirely in conflict, he shall proclaim that measure to be law that has received the greatest number of affirmative votes, regardless of the difference in the majorities which those measures have received.
 - (c)
 - (i) Within 10 days after the governor's proclamation, any qualified voter who signed the initiative petition proposing the law that is declared by the governor to be superseded by another measure approved at the same election may apply to the Supreme Court to review the governor's decision.
 - (ii) The court shall:
 - (A) consider the matter and decide whether or not the proposed laws are in conflict; and
 - (B) certify its decision to the governor.
- (4) Within 10 days after the Supreme Court certifies its decision, the governor shall:
 - (a) proclaim all those measures approved by the people as law that the Supreme Court has determined are not in conflict; and
 - (b) of all those measures approved by the people as law that the Supreme Court has determined to be in conflict, proclaim as law the one that received the greatest number of affirmative votes, regardless of difference in majorities.

Amended by Chapter 367, 2010 General Session

20A-7-212 Effective date.

- (1) A proposed law submitted to the Legislature by initiative petition and enacted by them takes effect 60 days after the final adjournment of the session of the Legislature that passed it, unless a different effective date is included in the proposed law and the proposed law passes the Legislature by a two-thirds vote of the members elected to each house of the Legislature.
- (2)
 - (a) Any proposed law submitted to the people by initiative petition that is approved by the voters at any election does not take effect until at least five days after the date of the official proclamation of the vote by the governor.
 - (b) Any act or law submitted to the people by initiative that is approved by the voters at any election takes effect on the date specified in the initiative petition.
 - (c) If the initiative petition does not specify an effective date, a law approved by the voters at any election takes effect five days after the date of the official proclamation of the vote by the governor.
- (3)
 - (a) The governor may not veto a law adopted by the people.
 - (b) The Legislature may amend any initiative approved by the people at any legislative session.

Amended by Chapter 20, 2001 General Session

20A-7-213 Misconduct of electors and officers -- Penalty.

- (1) It is unlawful for any person to:
 - (a) sign any name other than the person's own to any initiative petition;
 - (b) knowingly sign the person's name more than once for the same measure at one election;
 - (c) sign an initiative knowing the person is not a legal voter; or
 - (d) knowingly and willfully violate any provision of this part.
- (2) It is unlawful for any person to sign the verification for an initiative packet knowing that:
 - (a) the person does not meet the residency requirements of Section 20A-2-105;
 - (b) the person has not witnessed the signatures of those persons whose names appear in the initiative packet; or
 - (c) one or more persons whose signatures appear in the initiative packet is either:
 - (i) not registered to vote in Utah; or
 - (ii) does not intend to become registered to vote in Utah.
- (3) It is unlawful for any person to:
 - (a) pay a person to sign an initiative petition;
 - (b) pay a person to remove the person's signature from an initiative petition;
 - (c) accept payment to sign an initiative petition; or
 - (d) accept payment to have the person's name removed from an initiative petition.
- (4) Any person violating this section is guilty of a class A misdemeanor.

Amended by Chapter 253, 2013 General Session

20A-7-214 Fiscal review -- Repeal, amendment, or resubmission.

- (1) No later 60 days after the date of an election in which the voters approve an initiative petition, the Governor's Office of Management and Budget shall:

- (a) for each initiative approved by the voters, prepare a final fiscal impact statement, using current financial information and containing the information required by Subsection 20A-7-202.5(2); and
- (b) deliver a copy of the final fiscal impact statement to:
 - (i) the president of the Senate;
 - (ii) the minority leader of the Senate;
 - (iii) the speaker of the House of Representatives;
 - (iv) the minority leader of the House of Representatives; and
 - (v) the first five sponsors listed on the initiative application.
- (2) If the final fiscal impact statement exceeds the initial fiscal impact estimate by 25% or more, the Legislature shall review the final fiscal impact statement and may, in any legislative session following the election in which the voters approved the initiative petition:
 - (a) repeal the law established by passage of the initiative;
 - (b) amend the law established by passage of the initiative; or
 - (c) pass a joint or concurrent resolution informing the voters that they may file an initiative petition to repeal the law enacted by the passage of the initiative.

Amended by Chapter 310, 2013 General Session